



Planning Commission

City Building

City of Sandusky, Ohio 44870

**February 1st, 2017
1ST FLOOR CONFERENCE ROOM
4:30 P.M.**

AGENDA

-
1. Minutes from December 21st, 2016 meeting

Adjudication Hearing to consider the following:

2. Application for a Conditional Use Permit at One Cedar Point Drive to allow for small cell node installations throughout the park.

NEXT MEETING: February 22, 2017

**Please notify staff at least 2 days in advance of the meeting if you cannot attend.
Thank you.**

Planning Commission
December 21, 2016
Minutes

Chairman Mears called the meeting to order at 4:30 PM. The following members were present: Mr. David Miller, Mr. Pete McGory, Chairman John Mears, Mr. Mike Zuilhof, Commissioner Wes Poole and Mr. Ned Bromm. Ms. Casey Sparks and Ms. Angela Byington represented the Planning Department, Mr. Trevor Hayberger represented the Law Department and Debi Eversole, Clerk from Community Development. Mr. Jim Jackson was absent.

There were six voting members present.

Mr. Poole moved to approve the minutes from the November 30, 2016 meeting as presented. Mr. McGory seconded the motion. Chairman Mears advised the clerk of 2 corrections on page 8. The motion carried unanimously.

Ms. Sparks briefed the Commission and audience members that Donald Frost has applied for a Conditional Use permit for a sign to be located within a residential zoning district for the property located at **1216 Campbell Street**. In April the Planning Commission approved a Substitution of a Non-Conforming Use to operate a motorcycle repair business from this location and at this time the applicant had not proposed any signage. Section 1143.08(b) (4) states that signage within a residential district shall not exceed nine square feet, anything exceeding nine square feet shall require a Conditional Use Permit. The applicant originally approached staff with a sign that spanned the majority of the front façade of the building, Staff informed him we would not recommend approval of this sign. The applicant then reduced the size of the sign to 25 square feet which is what would be permitted if the building was located within a commercial district. Understanding that the commercial use was previously approved by Planning Commission, Staff does recognize the need for signage. Staff does not believe that the applicant should be permitted to have the same size signage as what would be permitted within a commercial zoned area, as such Staff has recommended 18 square feet. Staff would also recommend that the window signage be removed.

Chairman Mears and Mr. Zuilhof asked if the picture provided in the packet was verified for the size requested. Ms. Sparks stated that she included what the applicant had provided.

Mr. Don Frost, 519 Bardshar Rd stated that he originally wanted the 54 square foot sign, as the brick façade was designed to border a 54 square foot sign. While working with Staff, he scaled it down to 25 square feet. The proposed sign will be flat and unlit. He does not feel that an 18 square foot sign would serve his purpose.

Ms. Marcie Platte, 1217 Columbus Ave stated that she is to the northeast of the property. She stated that she had addressed many of her concerns in May of 2016. Her concern tonight is that she would not like the Planning Commission to allow a sign any larger than the allowed 9 square feet. She added several reasons why she is opposed:

- The picture submitted by the applicant is not correct. The window is not boarded up.
- The property owner cemented in a parcel of land that is directly behind her house. She stated that this is to store a truck with a toy hauler on it to do business.
- When the truck and toy hauler is not on the concrete, there are often 5-7 motorcycles on it.
- They often have more than 2 motorcycles parked in front of the business. Her understanding is that only 2 motorcycles can be parked there at one time.
- Mr. Twardzik continued to use the space as commercial after it was zoned residential. She feels that there would be RITA taxes owed if that were the case.
- She does not understand how it was rezoned without asking the neighbors.
- She wondered if Mr. Twardzik should pay rental registration like she does.

Ms. Platte stated that the decision made by Planning Commission to allow the use as a motorcycle repair shop has cost her \$10,000 - \$15,000 on the value of her house. She spoke to a realtor regarding the value. She feels strongly that the Planning Commission did not consider her as a homeowner before allowing the use. Further, she feels Mr. Frost has enough advertising in the window of the building and on social media, etc. and does not need a sign bigger than the allowed 9 square feet for advertising.

Ms. Sue Dougherty, 1016 Third Street stated her concern with the proposed signage in a residential area. She feels that the content of the sign could be implied as an offensive meaning. She asked the Planning Commission to take the content of the sign into consideration before making their decision. She stated that it would limit the desirability to live in this neighborhood.

Mr. Frost clarified that the content of the sign is not meant to be offensive. His last name is Frost and his former partner's name was Kreshion. It stands for "Frost, Kreshion And Performance". His request is for a 25 square foot sign and content has nothing to do with the approval process.

Mr. McGory asked Mr. Frost what the "N" stood for in the name of the business. Mr. Frost stated that it symbolizes AND. Mr. Poole stated that the content of the sign is not what is being approved and that Planning Commission has no ruling on the content of signage. Mr. McGory added that twisting the letters to a potentially offensive phrase may not be doing him any favors as a business man.

Mr. Zuilhof asked Mr. Hayberger whether Planning Commission has any latitude to consider the content in their decision process. Mr. Hayberger answered no. The only consideration in the decision is the impact that the proposed size of the sign would have on a residential neighborhood.

Mr. Bromm asked Staff if Ms. Platte's concerns regarding violations to are true. Ms. Sparks replied that Staff had on several occasions driven past the property and have not noticed more than 2 motorcycles at one time parked there. She added that Ms. Platte visited the office on Friday December 16, 2016 and provided a photo dated May 25, 2016 that showed more than 2 motorcycles parked at one time. Other than Ms. Platte's complaint on December 16, Staff had not received any other complaints from surrounding neighbors.

Mr. Zuilhof stated that he is not in favor of a 25 square foot sign. He feels that 9 square foot is a sufficient size. That, along with the window sign would be sufficient for the business that was approved for a Substitution of a Non-Conforming Use in a residential neighborhood.

Ms. Byington clarified that window signage is exempt from overall calculation of square footage of the sign. Staff recommended removal of the window sign as a condition of approving any larger sign as it adds more visual signage to the space.

Mr. Zuilhof asked that if the application were approved per Staff's recommendations and conditions, what would happen if the window sign was not removed or if a sign went back up. Ms. Byington stated depending on how the condition is worded, for example if the condition states "there cannot be any window signage", the current window signage must be removed and there can never be a window sign. They would be in violation of their Conditional Use and could also receive a citation, assuming the City is made aware of the situation.

Mr. McGory stated that he feels that 9 square feet is a sufficient size for a sign that will let people coming to the business know that they have found the business and also to advertise this space for people that don't know where the business is. He feels that both of these objectives can be accomplished within the code regulations of a 9 square foot sign.

Mr. McGory moved to deny the application and staff's recommendation. Mr. Zuilhof seconded the motion.

Mr. Poole disagrees with Mr. McGory's comments. He feels that the sign will also add decoration and will enhance the look of the brick building. He agrees with Staff's recommendation of 18 square feet. He also stated that the determining factor should be whether it will cause detriment to the neighbors.

Mr. Miller stated that he would not be in favor of an illuminated sign. Ms. Byington clarified that the sign itself is not internally illuminated but it will have lights that are already installed for safety purposes shining on the sign. Mr. Miller added that he is not in favor of the slogan and understands that Planning Commission cannot control the content of the signage. Mr. Miller then stated that he isn't clear on how the 9, 18 or 24 square feet are measured as the sign is made up of individual letters. Ms. Byington stated that the square footage is calculated by going to the furthest edge of the letters. She also stated for the record that there was never a

discussion between Staff and the applicant on what would or would not be allowed to be stated in the message. Staff's discussion with the applicant was only about the size of the sign.

Mr. Zuilhof moved to call the question. Roll was called and the motion to call the question was defeated by a 5 no, 1 yes vote.

Ms. Byington continued discussion regarding the brick panel. It was first suggested to remove the brick border since that would appear to make the sign area 54 square foot. It was then discussed to use a panel sign and limiting the size. Staff felt that would draw even more attention and possibly be obtrusive to the residents. The current proposal seems to blend in nicely with the brick on the building and be less obtrusive to the residents.

Mr. McGory addressed Ms. Platte to ask if her concern is more with the slogan or with the size of the sign. Ms. Platte answered that she feels that the sign should follow the requirements for a residential space or make the space a commercial space.

Ms. Platte addressed Mr. Hayberger and asked if the applicant is allowed to discuss the application with the Commission members prior to the meeting. Mr. Hayberger's response was yes and that she could have done so as well.

Mr. Poole asked if Staff had received any noise complaints. Ms. Sparks stated that she is not aware of any noise complaints since the business opened in May.

Mr. Zuilhof stated that there have been several variances granted in the past. In this particular case, the building is close to the street where people will see the sign. There is no need for a larger sign.

Chairman Mears added that the motion on the table is to deny the application and the recommendation from Staff. Roll was called and the motion carried with a 4/2 yes vote.

Chairman Mears moved to the item of old business, a discussion regarding proposed Zoning Amendments to Section 1129.06. Ms. Sparks stated that this is only an update to let Planning Commission know where this topic is at. She added that this legislation will be heard at Tuesday's City Commission Meeting. The amendment will state the allowance at Staff's approval for gravel within the rear yard vs. concrete. The City Commission President instructed Staff to bring back this topic to Planning Commission to talk about other possibilities or restrictions that can be placed on recreational vehicles within residential zoning districts. Items to be considered but not limited to are as follows:

- Number of accessory vehicles on the property
- Require ownership of vehicles to owner or occupant of residence
- Prohibition of parking in side yard
- Setbacks and screenings

Mr. Poole acknowledged the fact that concrete is expensive and that this could be resolved appropriately with stone. There have been several issues come up since the legislation was written and it needs a second look at before City Commission approval. He suggested that Planning Commission work with Staff on the topics that Ms. Sparks stated above.

Mr. Miller moved to adjourn the meeting. Mr. Poole seconded the motion. Meeting was adjourned at 5:50PM.

APPROVED:

Debi Eversole, Clerk

John Mears, Chairman

CITY OF SANDUSKY, OHIO
DEPARTMENT OF DEVELOPMENT
DIVISION OF PLANNING

PLANNING COMMISSION REPORT

APPLICATION FOR A CONDITIONAL USE
FOR ONE CEDAR POINT DRIVE

Reference Number: PC-01-2017

Date of Report: January 18th, 2017

Report Author: Casey Sparks, Assistant Planner



City of Sandusky, Ohio

Planning Commission Report

BACKGROUND INFORMATION

Cedar Point Park, LLC has submitted an application for a Conditional Use permit for the property located at One Cedar Point Drive to allow for small cell node installations throughout the park.

The following information is relevant to this application:

Owner: Cedar Point Park LLC
One Cedar Point Drive
Sandusky, Ohio 44870

Agent: Craig Freeman
One Cedar Point Drive
Sandusky, Ohio 44870

Site Location: One Cedar Point Drive

Zoning: "CA" Commercial Amusement

Existing Uses: Amusement Park

Applicable Plans & Regulations: City of Sandusky Comprehensive Plan
Sandusky Zoning Code Chapter
Chapter 921
Chapter 1109.10

SITE DESCRIPTION

The subject property is located at One Cedar Point Drive and is zoned as CA Commercial Amusement. The subject property is surrounded by CA Commercial Amusement.
























A picture of the property along with a location map are found below.

1 Cedar Point Drive



Zone Map – Parcels



 J-1 PUBLIC FACILITY	 R1-40 SINGLE-FAMILY RESIDENTIAL	 B LOCAL BUSINESS	 D/D DOWNTOWN BUSINESS
 R2 RESIDENTIAL SUBURBAN	 R2F TWO-FAMILY RESIDENTIAL	 RB ROADSIDE BUSINESS	 CS COMMERCIAL SERVICE
 R3 SINGLE-FAMILY RESIDENTIAL	 R3F MULTI-FAMILY RESIDENTIAL	 GB GENERAL BUSINESS	 IM LIMITED MANUFACTURING
 R4 SINGLE-FAMILY RESIDENTIAL	 R4F RESIDENTIAL / BUSINESS	 CB COMMERCIAL AMUSEMENT	 GM GENERAL MANUFACTURING
 R5 SINGLE-FAMILY RESIDENTIAL	 R5F AGRICULTURE	 CB COMMERCIAL AMUSEMENT	 GM GENERAL MANUFACTURING
 R6 AGRICULTURE		 CB COMMERCIAL AMUSEMENT	 GM GENERAL MANUFACTURING

DIVISION OF PLANNING COMMENTS

The applicant is requesting an amendment to the Conditional Use permit for One Cedar Point Drive to allow for six new small cell installations throughout the park. The applicant is installing a total of fifteen small cell node installations, nine of the installations will be collocated or a replacement of an existing pole and permitted by right.

Section 921.06 requires a Conditional Use permit for any new towers. Although these are not the larger towers generally thought of when referencing this chapter. Chapter 921.03 defines wireless telecommunication towers as a structure intended to support equipment used to transmit and/or receive telecommunications signals, including but not limited to: rooftop mounted antennas, monopole towers, lattice towers, etc. The small cell installations operate wireless telecommunication equipment, as such the regulations within Chapter 921 require a Conditional Use permit. The Conditional Use permit would only be required for the six antennas requiring a new pole, however for reference the applicant has included information on all the installations.

The state legislature has recently approved legislation regarding small cell node installations within the public right-of-way. The new legislation does limit the local government control over the process for installing small cell nodes, but the limitations are in regards to permit fees. Staff has confirmed with the Law Department that a Conditional Use permit is required for these installations, because they are not located within the public right-of-way.

Section 921.04 states general requirements for wireless telecommunication facilities, which include the following:

1. The City's intent is to provide incentives for wireless telecommunications service providers that seek to further the City's following priorities:
 - a. Co-locate on with other existing towers/ structures/ facilities or locate on existing structures (public or private)
 - b. Design new towers for multiple users, wherever possible
 - c. Locate towers in the least obstructive manner given present and evolving technology.

The applicant has indicated that they would be co-locating as many of these small cell nodes as possible on the side of existing buildings. The proposed new poles and antenna will be an estimated

32' in height, but as shown through the information provided, will be aesthetically pleasing. The applicant has indicated that the final design for these poles have not been determined but will be similar to the information provided within the packet.

ENGINEERING STAFF COMMENTS

The City Engineer has reviewed the proposed Conditional Use Permit and has stated that it appears that two new structures will be added as such these structures will need to in compliance with the floodplain ordinance.

BUILDING STAFF COMMENTS

The City Building Official has reviewed the application and stated that all permits shall be taken out before construction.

POLICE DEPARTMENT COMMENTS

The City Police Chief has reviewed the application and has no issues with the proposed Conditional Use amendment.

FIRE DEPARTMENT COMMENTS

The City Fire Chief has reviewed the proposed application and has no issues with the proposed Conditional Use amendment.

CONCLUSION/RECOMMENDATION

Planning Staff recommends approval of the proposed Conditional Use, as they meet the requirements as set forth in section 921.04. The applicant has made an effort to co-locate as many of the small cell node installations as possible and has put forth an effort to assure that these are aesthetically pleasing throughout the park.



CITY OF SANDUSKY

APPLICATION FOR PLANNING COMMISSION APPROVAL

TYPE OF APPLICATION:

<input checked="checked" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Similar Main Use
<input type="checkbox"/> Flood Plain Variance	<input type="checkbox"/> Front Yard Fence
<input type="checkbox"/> Other	

APPLICANT/AGENT INFORMATION:

Property Owner Name: Cedar Point Park LLC

Property Owner Address: One Cedar Point Drive
Sandusky, Ohio 44870

Property Owner Telephone: 419-627-2270

Authorized Agent Name: Craig Freeman

Authorized Agent Address: Same As Owner

Authorized Agent Telephone: 419-609-5720

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: One Cedar Point Drive

Legal Description of Property (check property deed for description):
55 Resort Grounds

Parcel Number: 55-00068.000, 55-00069.000, 55-00076.000 Zoning District: CA

DETAILED SITE INFORMATION:

Land Area of Property: 360 Acres (sq. ft. or acres)

Total Building Coverage (of each existing building on property):

Building #1: _____ (in sq. ft.)

Building #2: _____

Building #3: _____

Additional: _____

Total Building Coverage (as % of lot area): _____

Gross Floor Area of Building(s) on Property (separate out the square footage of different uses – for example, 800 sq. ft. is retail space and 500 sq. ft. is storage space: _____

Proposed Building Height (for any new construction): _____

Number of Dwelling Units (if applicable): _____

Number of Off-Street Parking Spaces Provided: _____

Parking Area Coverage (including driveways): _____ (in sq. ft.)

Landscaped Area: _____ (in sq. ft.)

PROPOSED DEVELOPMENT (check those that apply):

- ☐ New Construction (new building(s))
☐ Addition to Existing Building(s)
☐ Change of Use in Existing Building(s)

Description of Proposed Development (Describe in detail your development plans, for example – proposed use, size of building or proposed addition, hours of operation, days of operation, seating capacity, etc.):

Verizon Wireless is installing a Mini - Cell System also known as
Small Cell Distribution at Cedar Point. There will be fourteen
(14) antennas spread throughout the Park. Eight (8) will
either be attached to building or mounted on existing lighting
poles. Six (6) antennas will require new poles.

REQUIRED SUBMITTALS:

15 copies of a site plan/off-street parking plan for property

Application Fee:

Conditional Use Permit: \$100.00

Similar Main Use: \$100.00

Flood Plan Variance: \$100.00

Front Yard Fence: no charge

Other: check with staff for fee

APPLICATION MUST BE COMPLETELY FILLED OUT!

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

Craig Freeman - SVP, ADMINISTRATION 1/12/17
Signature of Owner or Agent Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of _____ (municipal street address of property), I hereby authorize _____ to act on my behalf during the Planning Commission approval process.

Signature of Property Owner Date

STAFF USE ONLY:

Date Application Accepted: _____ Permit Number: _____

Date of Planning Commission Meeting: _____

Planning Commission File Number: _____

CHAPTER 921

Wireless Telecommunications Regulations

- 921.01 Purpose.**
- 921.02 Applicability.**
- 921.03 Definitions.**
- 921.04 General requirements.**
- 921.05 Public property.**
- 921.06 Conditional use permit required.**
- 921.07 Collocation.**
- 921.08 Submittals required for a conditional use permit for new telecommunications facilities.**
- 921.09 Standards and criteria for conditional use.**
- 921.10 Discontinuance of use.**
- 921.11 Liability insurance and bonds.**
- 921.12 Nonconforming uses.**
- 921.13 Non-waiver.**

921.01 PURPOSE.

The purpose of this chapter is to regulate the placement, construction and modification of towers and wireless telecommunications facilities in order to protect the health, safety and welfare of the public and to minimize adverse health, safety and visual impact of towers and wireless telecommunications facilities by the implementation of buffering, siting, design and construction criteria and requirements. (Ord. 01-110. Passed 2-26-01.)

921.02 APPLICABILITY.

(a) All towers, antenna support structures and wireless telecommunications facilities, any portion of which are located within the City, are subject to this chapter.

(b) Except as provided in this chapter, any use being made of a pre-existing tower or antenna support structure on the effective date of this chapter (herein "nonconforming structures") shall be allowed to continue, even if in conflict with the terms of this chapter. All re-construction or modifications to a non-conforming structure being undertaken, shall be required to conform with this chapter. (Ord. 01-110. Passed 2-26-01.)

921.03 DEFINITIONS.

For purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein. When consistent with the context, words used in the present tense also include the future tense; words in the plural number include the singular number; and words in the singular number include the plural number. All capitalized terms used in the definition of any other term shall have their meaning as otherwise defined in this section. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

"ANTENNA SUPPORT STRUCTURE" means any building or other structure other than a tower which can be used for location of wireless telecommunications facilities.

"BUFFER" means a fence, landscape screen, and/or wall that will prevent access and that will be at least six feet in height and shall have an opacity of 80% within two years of the facility being constructed.

"COLLOCATION" means the use of a wireless telecommunications facility by more than one wireless telecommunications provider, or the use of another existing structure by a wireless telecommunications provider to locate its wireless telecommunications antennas.

"MONOPOLE" means a structure constructed of a single, self-supporting hollow metal tube that is securely anchored to a foundation and which purpose is to support a wireless telecommunications antenna.

"TELECOMMUNICATIONS" means the technology which enables information to be exchanged through the voice, video, or data signals by means of electrical or electromagnetic systems.

"WIRELESS TELECOMMUNICATIONS ANTENNA" means the physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission, are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

"WIRELESS TELECOMMUNICATIONS EQUIPMENT SHELTER" means a facility which houses the electronic receiving and relay equipment for a wireless telecommunications facility.

"WIRELESS TELECOMMUNICATIONS TOWER" means a structure intended to support equipment used to transmit and/or receive telecommunications signals, including but not limited to: rooftop mounted antennas, monopole towers, lattice towers, etc.

"TELECOMMUNICATIONS FACILITIES" shall not include:

- (1) Any satellite earth station antenna two meters in diameter or less which are located in an area zoned industrial or commercial (dish antenna requirements shall be applicable);
- (2) Any satellite earth station antenna one meter or less in diameter, regardless of zoning category (dish antenna requirements shall be applicable).

(Ord. 01-110. Passed 2-26-01.)

921.04 GENERAL REQUIREMENTS.

(a) Wireless telecommunications facilities shall be treated as permitted uses subject to administrative approval, special permit uses, or conditional uses in a variety of zoning districts contingent upon a number of requirements being met. These criteria are in place in an attempt to minimize adverse health, safety, public welfare or visual impacts through co-location, siting, design and construction, while upholding the intent of Section 921.01.

(1) The City's intent is to provide incentives for wireless telecommunications service providers that seek to further the City's following priorities:

- A. Co-locate on/with other existing towers/structures/facilities or locate on existing structures (public or private).
- B. Design new towers for multiple users, wherever possible.
- C. Locate towers in the least obstructive manner given present and evolving technology.

(Ord. 01-110. Passed 2-26-01.)

921.05 PUBLIC PROPERTY.

Wireless telecommunications towers are permitted uses on all City-owned property, regardless of zoning district. A list of properties that the City has identified as appropriate sites for wireless telecommunications towers is maintained by the Community Development Director.

(Ord. 01-110. Passed 2-26-01.)

921.06 CONDITIONAL USE PERMIT REQUIRED.

Wireless telecommunications towers require a Conditional Use Permit in all zoning districts, except for City-owned property. In Residential zoning districts (RS, R1-75, R1-60, R1-50, R1-40, R2F, RMF, R-RB), a Conditional Use Permit for a wireless telecommunications tower may only be granted for a non-residentially used property.

(Ord. 01-110. Passed 2-26-01.)

921.07 COLLOCATION.

The use of wireless telecommunication towers by more than one provider, and the use of existing structures for attachment of wireless telecommunications antennas, is promoted. Collocation may occur on any existing tower or structure within the Public Facilities (PF), Agricultural (Ag), Business (P, LB, RB, GB), Commercial (CR, CA, CS), and Manufacturing (LM, GM) zoning districts, as a

permitted use, with written consent of the Community Development Director and subject to the following requirements.

- (a) The maximum height of the wireless telecommunications antennas and any associated structures shall be not more than 20 feet or 20 percent of the building height above the existing building or structure, whichever is greater.
- (b) If the applicant proposes to construct a wireless telecommunications equipment shelter, the shelter shall comply with all minimum setback and height requirements for an accessory building in the subject zoning district. The maximum size of the wireless telecommunications equipment shelter shall not exceed 300 square feet per shelter or 750 square feet total for more than one shelter, unless special circumstances are presented by the applicant.
- (c) The applicant shall make every attempt to maintain the architectural character of the district and surrounding buildings.
- (d) Co-location on buildings within the Downtown Design Review District is not permitted.

A Conditional Use Permit is required for collocation on an existing structure in a residential district (RS, R1-75, R1-60, R1-50, R1-40, R2F, RMF, R-RB), and may only be granted for non-residential structures or structures greater than 35 feet in height.

(Ord. 01-110. Passed 2-26-01.)

921.08 SUBMITTALS REQUIRED FOR A CONDITIONAL USE PERMIT FOR NEW TELECOMMUNICATIONS FACILITIES.

A wireless telecommunications tower, wireless telecommunications equipment shelter, and associated facilities shall be considered a structure and in addition to a conditional use permit shall require all appropriate building permits for new construction as well as any additions.

Conditional Use Permit Applications must include the following submittals:

- (a) Existing topography with a maximum of ten-foot contour intervals.
- (b) If located on a building or structure, the dimensions of the building or structure shall be submitted.
- (c) Proposed finished grade of the development shown by a maximum of ten foot contour intervals.
- (d) The location of all existing buildings and structures and the proposed location of the facility and support structures including square footage, dimensions, heights and gross floor of buildings or structures.
- (e) The location and dimensions of all curb cuts, driving lanes, off-street parking and loading areas including number of spaces, grades, surfacing materials, drainage plans and illumination of the facility.
- (f) The location and dimensions of proposed sidewalks, fences, landscaping, screening and/or walls.
- (g) The location of all existing and proposed public streets and utilities.
- (h) A statement concerning any visual or environmental mitigation proposed by the applicant.
- (i) Distances from the proposed facility to all existing buildings or structures located on the subject site, adjacent lots and residential zoning districts within 200% of the height of the tower.
- (j) A diagram showing all other wireless telecommunications towers and facilities that exist or are proposed by the applying wireless telecommunications provider and their coverage area within two miles of the proposed wireless telecommunications facility. Additionally, the applicant shall provide a diagram showing the locations of all other wireless telecommunications towers and facilities within two miles of the proposed wireless communication tower.
- (k) A non-refundable application fee of \$500.00 shall be required for each new wireless telecommunications tower, wireless telecommunications equipment shelter and associated

facilities for the purpose of Site Plan review.

(l) Landscaping and buffer plantings shall be located on the site as deemed appropriate by the City Planner and in accordance with the applicable City ordinances. (Ord. 01-110. Passed 2-26-01.)

921.09 STANDARDS AND CRITERIA FOR CONDITIONAL USE.

(a) The wireless telecommunications tower or other facility as proposed, including any buffer, must be consistent with and not be detrimental to the aesthetic environment of the general area in which it is proposed, including but not limited to all adjacent properties.

(b) The lot in which the telecommunications facility is located shall meet the minimum lot size for the district. A wireless telecommunications tower or other facility shall not be constructed on a nonconforming lot.

(c) The wireless telecommunications tower shall be located a minimum of 200% of the height of the tower, including any antennas protruding above the tower, from any residential district.

(d) The maximum height of the wireless telecommunications tower, including any antennas protruding above the tower, shall be 200 feet unless special circumstances are presented by the applicant.

(e) The wireless telecommunications tower shall be of monopole construction, unless special circumstances are presented by the applicant.

(f) The wireless telecommunications tower shall be constructed to accommodate: at least one additional telecommunications company's wireless telecommunications antennas if not more than 100 feet in total height, at least two additional telecommunications companies' wireless telecommunications antennas if more than 100 feet but not more than 150 feet in total height, and at least three additional telecommunications companies' wireless telecommunications antennas if more than 150 feet in total height.

(g) The maximum size of the wireless telecommunications equipment shelter(s) shall be 300 square feet per shelter and a total of 750 square feet for more than one shelter, unless special circumstances are presented by the applicant.

(h) The wireless telecommunications equipment shelter shall require a building permit and shall meet all setbacks and height requirements in the zoning district in which it is located.

(i) If the wireless telecommunications tower and facility are located on a lot with an existing use, the installation and operation of the wireless telecommunications tower shall not interfere with the existing use.

(j) The applicant shall submit a landscaping plan that indicates how the wireless telecommunications tower and associated facility will be screened from adjoining uses.

(k) The applicant shall demonstrate that the wireless telecommunications tower must be located where it is proposed in order to service the applicant's service area, and why applicant is not collocating its facilities on any existing structures of sufficient height within a two mile radius from the proposed facility location.

(l) Where the wireless telecommunications facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement or entered into a lease for the proposed facility and that vehicular access is provided to the facility.

(m) A minimum setback of 10 feet from any adjacent public right-of-way is required for all wireless telecommunications towers, wireless telecommunications equipment shelters, and other related structures. (Ord. 01-110. Passed 2-26-01.)

921.10 DISCONTINUANCE OF USE.

All providers utilizing wireless telecommunications towers shall present a written report to the Community Development Department which gives notice of any tower located in the City whose use will be discontinued and the specific date the use will cease. If at any time from the initial use of the wireless telecommunications tower the use thereof has been discontinued for one hundred eighty days, the City Planner shall declare the wireless telecommunications tower abandoned and shall give

written notice by certified mail to the last known address of the wireless telecommunications tower's owner/operator to either reactivate the tower's use within ninety days, or to dismantle and remove the facility. If reactivation or dismantling does not occur within such ninety days, the City shall either remove or contract to have removed such wireless telecommunications tower and shall assess the owner/operator all costs of such removal.

(Ord. 01-110. Passed 2-26-01.)

921.11 LIABILITY INSURANCE AND BONDS.

(a) The owner of any wireless telecommunications tower shall maintain liability insurance insuring the City and the owner with regard to all damages arising out of or pertaining to injury, death, damages to property real and personal, arising out of the operation of the tower, or otherwise, in the following minimum amounts:

- (1) One million dollars (\$1,000,000) for bodily injury or death to any one person;
- (2) Three million dollars (\$3,000,000) for bodily injury or death resulting from any one accident or occurrence;
- (3) Five hundred thousand dollars (\$500,000) for property damage to any single property; and
- (4) Three million dollars (\$3,000,000) for excess liability or umbrella coverage.

(b) Owner shall furnish to the City certificates of insurance evidencing owner's compliance with this section. All insurance required by this chapter shall be and remain in full force and effect for the entire term of this chapter. Such insurance, if canceled for any reason, shall immediately be put back in force subject to the terms and requirements specified herein.

(c) Any insurance policy obtained by the owner to comply with this section must be approved by the City's Law Director, which approval shall not be unreasonably withheld, and a certificate of insurance and a duplicate copy of said insurance policy, along with written evidence of payment of required premiums, shall be filed and maintained with the City Clerk during the term of this chapter. Such insurance may be changed from time to time to reflect changing liability limits as may be reasonably requested by the City, but not below the minimum established herein. Owner shall immediately notify the City in writing of any litigation that may develop that would affect the insurance required herein.

(d) Upon written request of the grantee, and approval of the City Manager, grantees who maintain a net book value in excess of fifty million dollars (\$50,000,000) may self-insure in lieu of maintaining and providing the policies of insurance and bonds described above. Such grantees shall provide to the City Manager such certificates or other documents attesting to such book value, insurance and bonding as the City Manager may reasonably request.

(Ord. 01-110. Passed 2-26-01.)

921.12 NONCONFORMING USES.

(a) Conforming Use. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this chapter shall be deemed to constitute the conforming uses or structures. This shall be the case even when such new facilities are being added to a nonconforming installation.

(b) Pre-existing Towers. Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height serving the same purpose) shall be permitted on such pre-existing towers. A replacement tower must be constructed within 180 days of removal of the initial facility. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.

(c) Rebuilding Damaged or Destroyed Nonconforming Towers or Antennas. Notwithstanding this section, bona fide nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to first obtain administrative approval or a special permit. The type, height, and location of the tower onsite shall be of the same type and intensity as the original facility approved. Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is

obtained or if said permit expires, the tower or antenna shall be deemed abandoned as specified in Section 921.10.

(Ord. 01-110. Passed 2-26-01.)

921.13 NON-WAIVER.

Nothing in this chapter shall preclude the City from exercising any right or remedy it may have in law or equity to enforce the terms and conditions of this chapter.

(Ord. 01-110. Passed 2-26-01.)

Verizon Antenna Locations at Cedar Point Park

site name	REPLACEMENT/NEW	pole type	color	LIGHT	pole height	ANTENNA RAIL CENT
cedar point park I	N/A	ROOF TOP	N/A	N/A		
cedar point park II	NEW	POLE TOP	white	NO	33'	35
cedar point park III	NEW	POLE TOP	GREEN	NO	33'	35
cedar point park IV	REPLACEMENT	POLE TOP	WHITE	YES EXISTING TO BE REUSED	33'	35
cedar point park VI	REPLACEMENT	POLE TOP		NO	33'	35
cedar point park VII	REPLACEMENT	POLE TOP	SILVER	YES EXISTING TO BE REUSED	33'	35
cedar point park VIII	NEW	POLE TOP	GREEN	NO	33'	35
cedar point park IX	NEW	POLE TOP	white	YES NEW	33'	35
cedar point park X	NEW	POLE TOP	GREEN	NO	33'	35
cedar point park XI	N/A	BUILDING SIDE MOUNT	N/A	N/A		
cedar point park XII	REPLACEMENT	POLE TOP	WHITE	YES EXISTING TO BE REUSED	33'	35
cedar point park XIII	N/A	BUILDING SIDE MOUNT	N/A	N/A		
cedar point park XIV	NEW	POLE TOP	GREEN	NO	33'	35
cedar point park XVI	N/A	ROOFTOP	N/A	N/A		
cedar point park XVII	N/A	ROOFTOP	N/A	N/A		

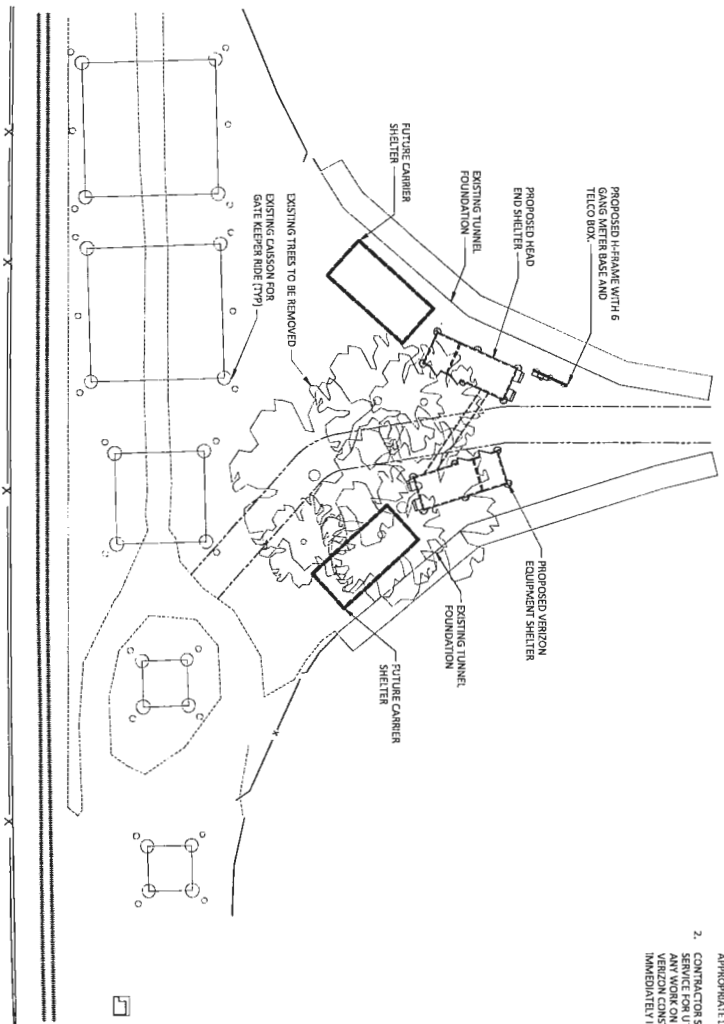
Highlighted Locations Require Conditional Use Permit

Write a description for your map.



© 2016 Google
Image © 2016 TerraMetrics

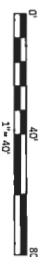
PROPOSED NODE:
CEDAR POINT HEAD END SHELTERS
OVERALL SITE LAYOUT



NOTES:

1. ALL WORK PERFORMED FOR THE INSTALLATION OF THE SHELTERS IS SUBJECT TO ALL APPLICABLE MUNICIPALITY CODES, REGULATIONS AND PERMITS AND SHALL BE COORDINATED WITH THE APPROPRIATE LOCAL INSPECTIONS OFFICIALS.
2. CONTRACTOR SHALL CONTACT THE OHIO UTILITY PROTECTION SERVICE FOR UTILITY LOCATING PURPOSES PRIOR TO COMMENCING ANY WORK ON SITE. IN THE EVENT THAT A CONFLICT IS FOUND, THE VERBON CONTRACTOR SHALL BE RESPONSIBLE FOR RESOLVING THE CONFLICT IMMEDIATELY IN ORDER TO RESOLVE THE CONFLICT.

CAUTION:
CONTRACTOR TO COORDINATE
LOCATION OF EXISTING UTILITIES
WATER, GAS, ETC.
EXPLORE AND VERIFY



11450 BLUEGRASS
LOUISVILLE, KY 40243-4375
502-437-5000

PCWV13

CEDAR POINT

DMIA



2441 HOLLOWAY
LOUISVILLE, KY

CONSTRUCTION
DRAWING

REV.	DATE	DESCRIPTION
A	12/12/16	PRELIM

SITE INFORMATION

CEDAR POINT
END SHELTER

ROAD NAME
SAUNDERSY DR
ENGINE CODE

POD NUMBER:

DRAWN BY:
CHECKED BY:
DATE:

SHEET TITLE

OVERALL
SITE LAYOUT

SHEET NUMBER
C-1

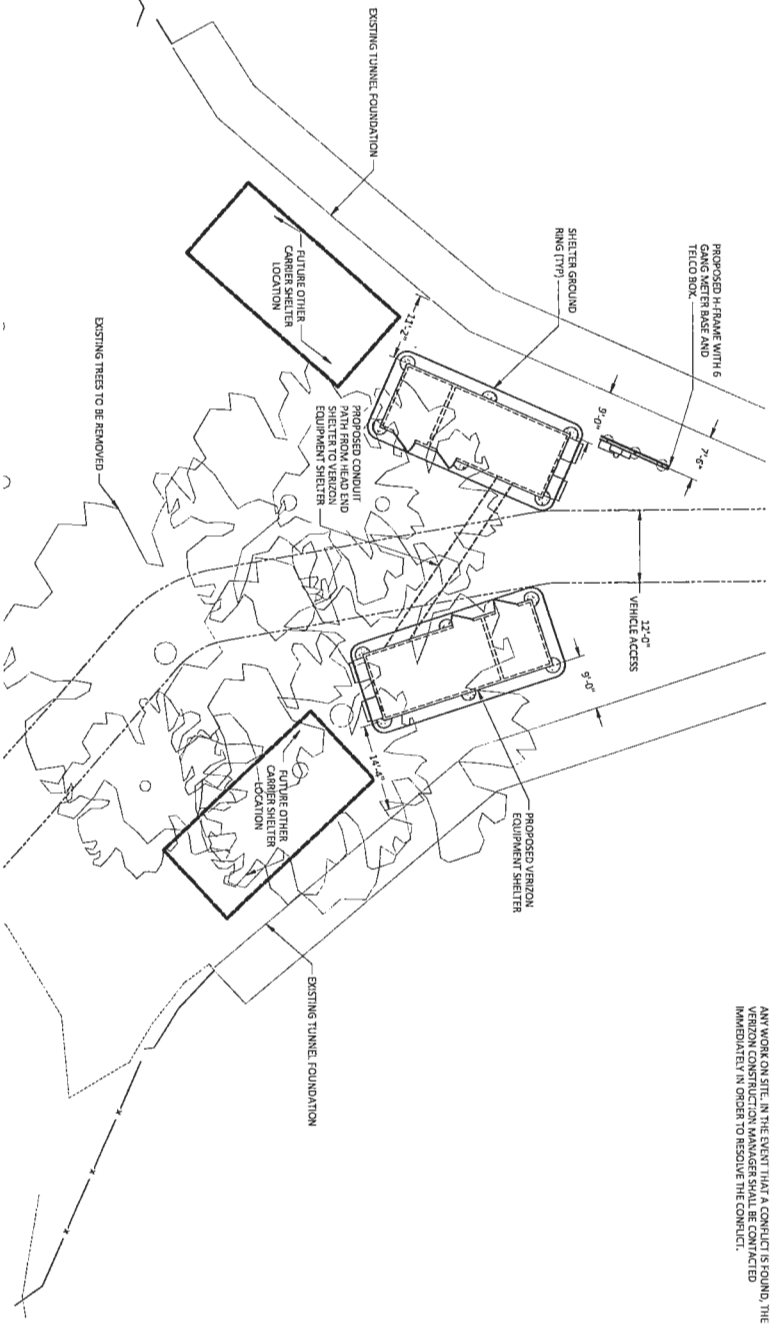


Protection
SERVICE
Call Before You Dig

PROPOSED NODE:
CEDAR POINT HEAD END SHELTERS
ENLARGED SITE LAYOUT

NOTES:

1. ALL WORK PERFORMED FOR THE INSTALLATION OF THIS SHELTERS SHALL BE COORDINATED WITH THE APPROPRIATE LOCAL INSPECTIONS OFFICIALS.
2. CONTRACTOR SHALL CONTACT THE OHIO UTILITY PROTECTION SERVICE FOR UTILITY LOCATING PURPOSES PRIOR TO COMMENCING ANY WORK ON SITE. IN THE EVENT THAT A CONFLICT IS FOUND, THE VERIZON CONSTRUCTION MANAGER SHALL BE CONTACTED IMMEDIATELY IN ORDER TO RESOLVE THE CONFLICT.



CAUTION:
CONTRACTOR TO COORDINATE
LOCATION OF EXISTING UTILITIES
WATER, GAS, ETC.
EXPOSE AND VERIFY



11490 BLUEGE
LOUISVILLE
502-433-4333

CELLCO PA

ver

2441 HOLL
LOUISVILLE

CONSTR
DRAW

REV. DATE

A 12/22/16 PL

SITE INFO

CEDAR PC
END SH

PROJ NUMBER:

DRAWN BY:

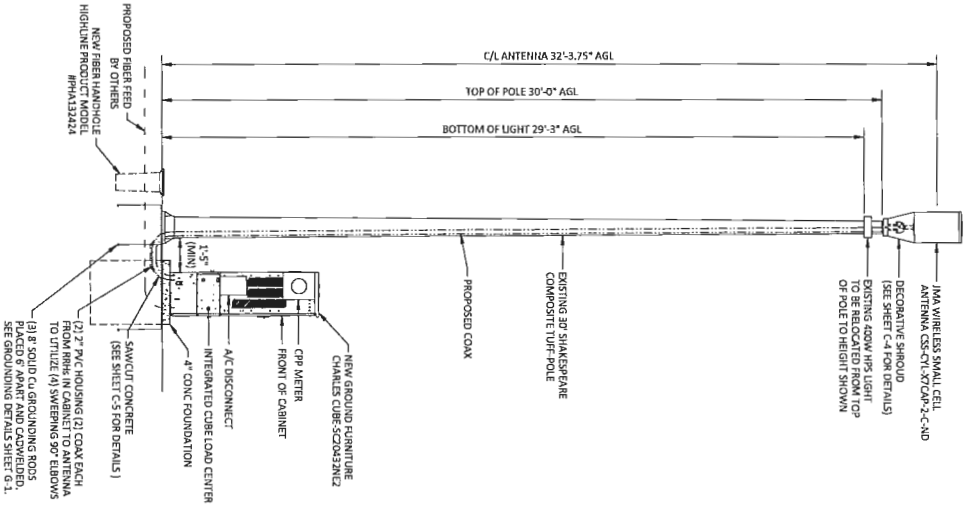
DESIGNED BY:

DATE:

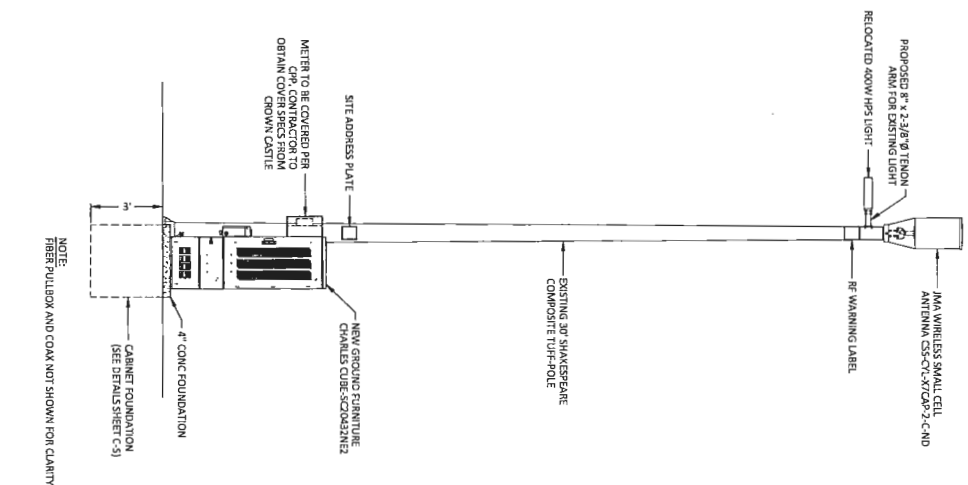
SHEET

ENLA
SITE L

SHEET
C



VIEW LOOKING SOUTHWEST
SCALE: 1" = 5'



VIEW LOOKING NORTHWEST
SCALE: 1" = 5'



		CONSTR DRAW	
REV.	DATE	PE	FC
A	10.16	PE	FC
D	3.30.15	FC	
PROJECT: 2189 DONTA CLEVELAND CLEVELAND SCU NL			
PCD NUMBER: 2189 DONTA CLEVELAND CLEVELAND SCU NL			
DRAWN BY: CIVA/DOB			
CHECKED BY:			
DATE:			
SHEET:			
NODE F			
SHEET N			



Distributed Antenna Systems (DAS) and Small Cell

**COVER
YOUR
DAS**
DISTRIBUTED ANTENNA SYSTEMS

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Introduction to STEALTH®

**Founded in
1992**

**1,000s of
concealments
throughout
the world**

**23+ years of experience in
the industry**

**Highest quality and
cutting-edge RF
transparent antenna
concealment systems**

**Headquarters
located in
Charleston, SC**

**Pioneer of the
concealment
industry**

Our Concealment Experience

- Concealing wireless since 1992
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- Designs with cabling, amplifiers and ventilation in mind
- High profile areas considered with 24/7 public access
- Thousands of products installed successfully
- Technical site walks done at every stadium/campus
- Extensive portfolio

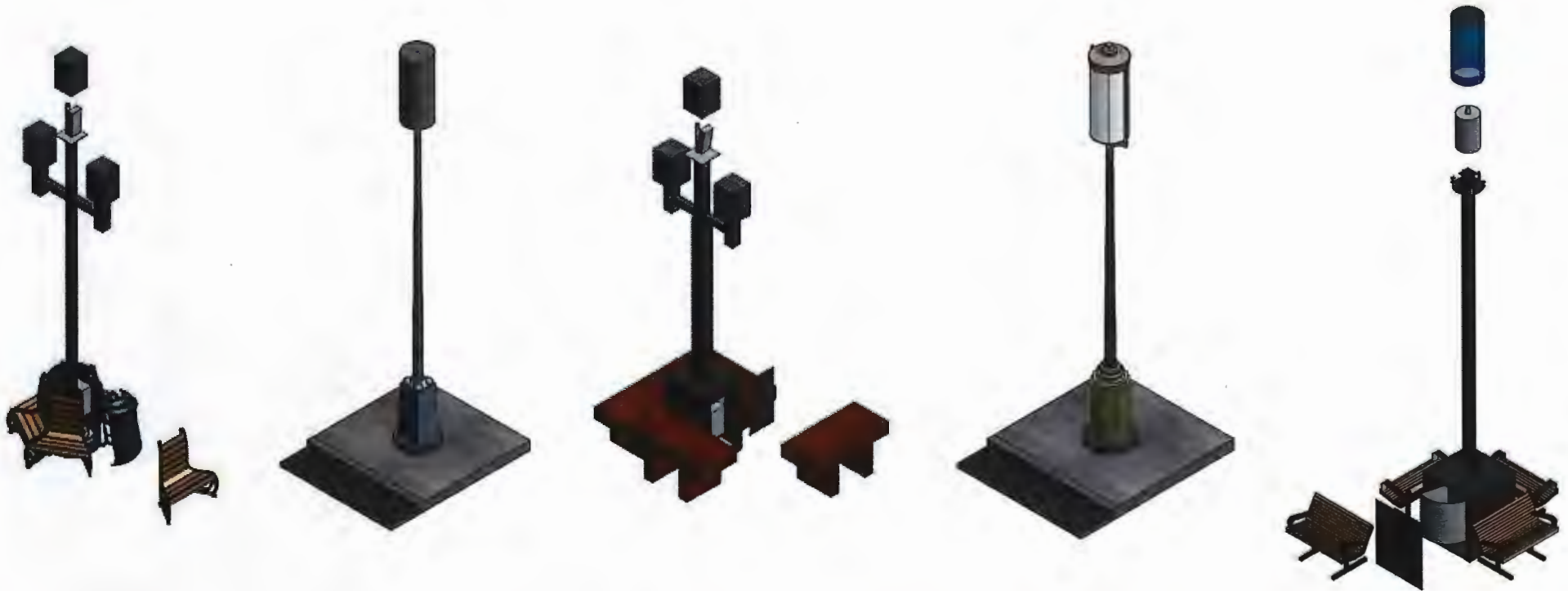


Concealment Benefits

- Aesthetically pleasing results - no visible impact to the public
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- Accessories available (signs, banners, lights, decals, etc.)
- Designs allow for ventilation of equipment
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- Unobtrusive solutions for high traffic areas
- Vandalism of equipment is prevented
- Most applications tailored to all antenna types & technologies

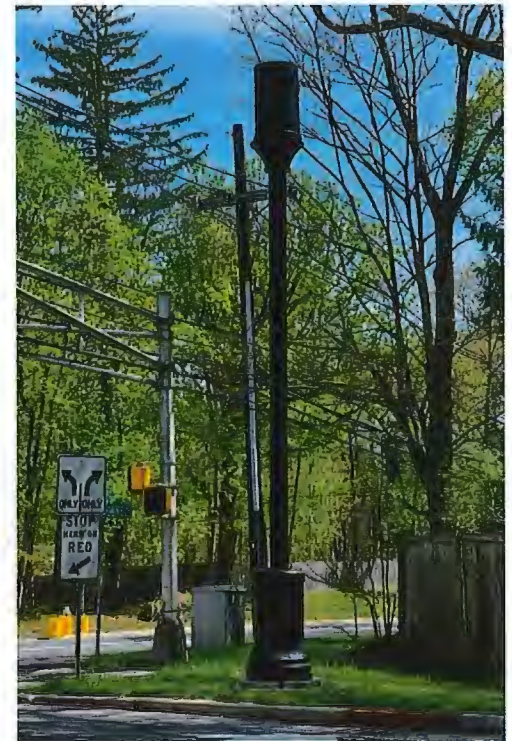
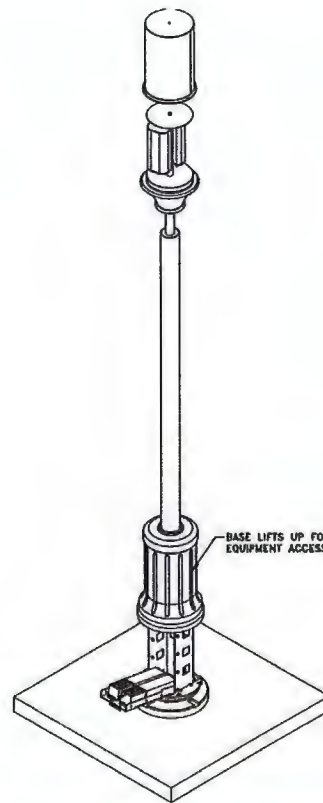


Custom Pole Solutions



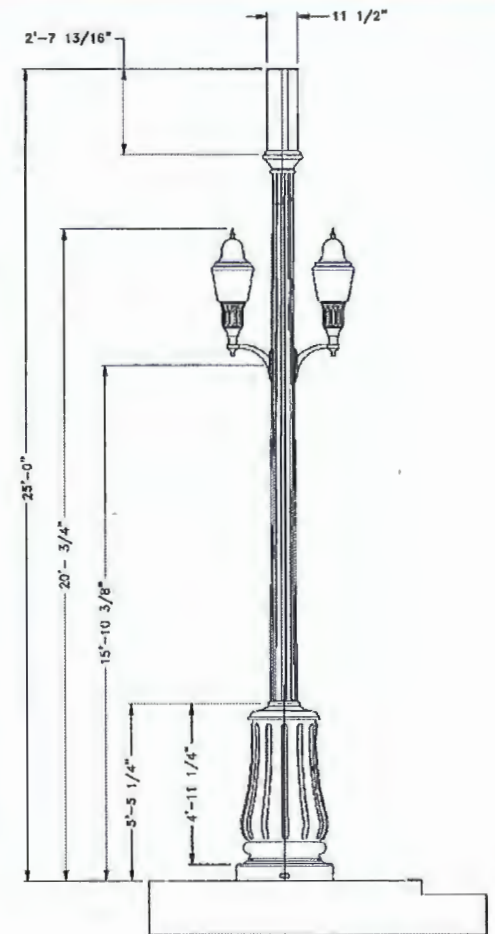
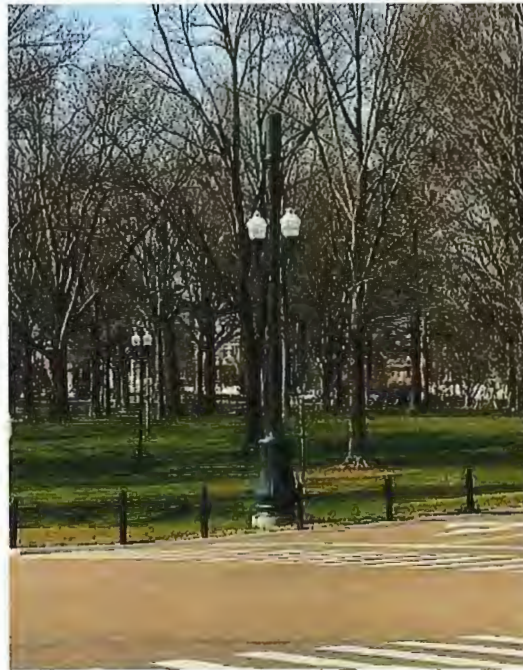
Light Pole Solutions

- Location: Princeton University
- Height Adjustable: 25' shown
- Antenna: (2) Kathrein 840 10525,
Radios: (1) Andrew ION-M7P, (1)
Andrew ION M85P
- Antennas & equipment can vary
- Pole can be smooth or decorative
- Base shape designs differ
- Base lifts up for easy equipment access
- Lights optional



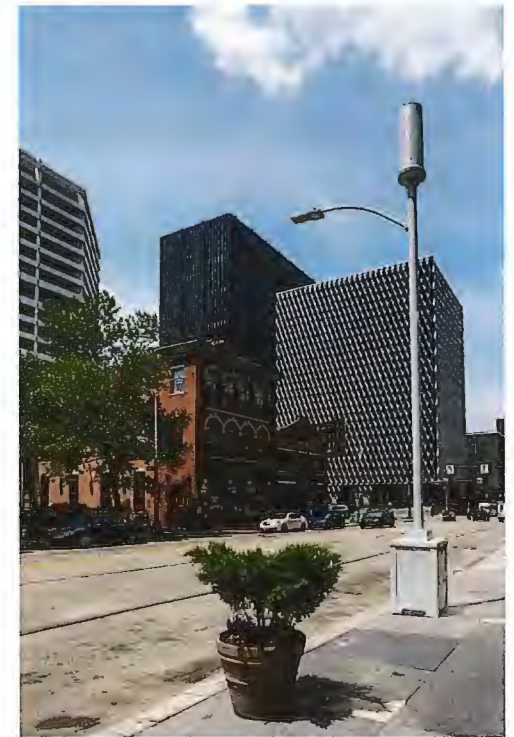
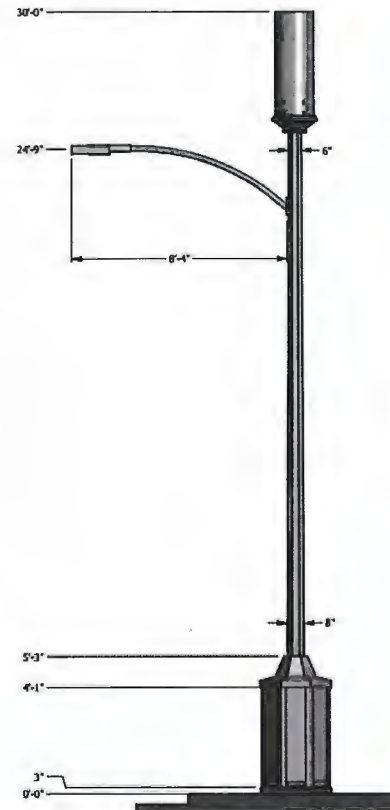
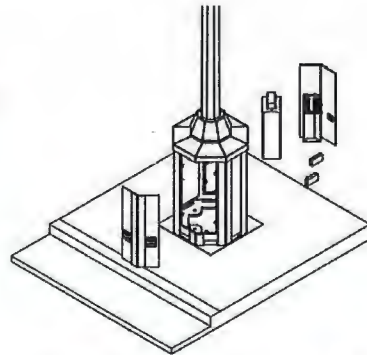
Light Pole Solutions

- Location: University of Mississippi
- Height Adjustable: 25' shown
- Antenna: CSS Antenna X7CAP-165
- Radio: ADC FlexWave Prism
- Light: Holophane Granville Premier Lunar Optic
- Antennas & equipment can vary
- Lights & light arms may vary
- Pole can be smooth or decorative
- Base shape designs differ
- Base lifts up for easy equipment access



Light Pole Solutions continued...

- Location: Pittsburgh, PA
- Height Adjustable: 30' shown
- Antenna: Kathrein 840 10515
- Radios: (2) Flexwave Prism Tri-Band
- Antennas & equipment can vary
- Lights & light arms can vary
- Base designs can differ
- Access doors on base
- 2 vented louvers per door

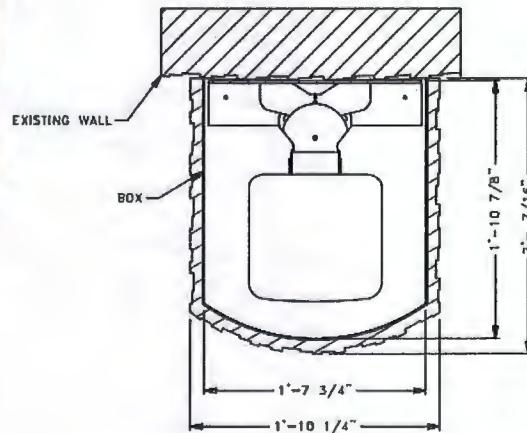


Indoor Solutions

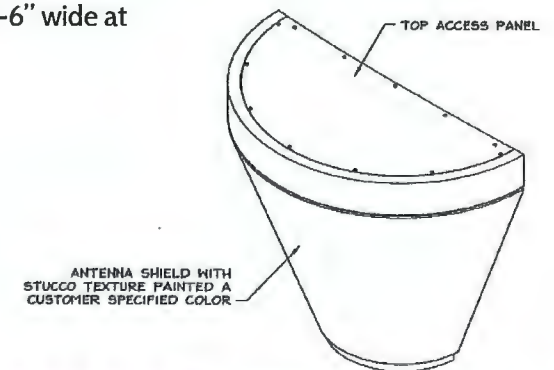
- Creative solutions for high profile venues



Location: Atlanta, GA
Description: 2'-6" tall, 2' wide, 2' deep

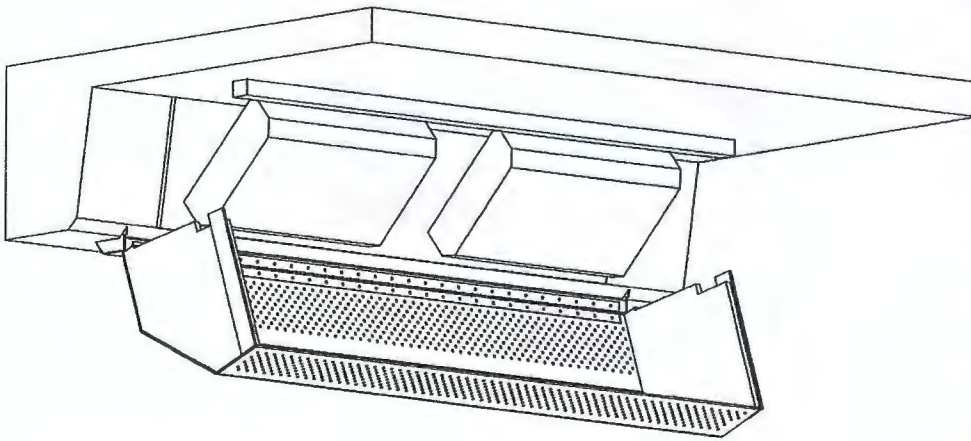


Location: Frisco, TX
Description: 4' tall, 4'-6" wide at top, 2' wide at base



Indoor Solutions Continued...

- Ventilating side-mounted boxes



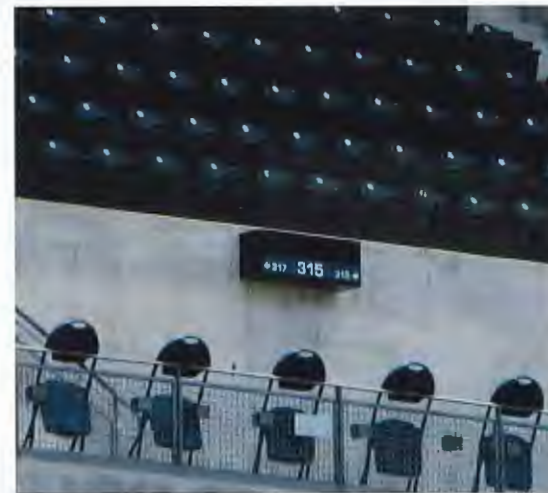
Location: Dallas, TX
Description: 1' tall, 5' wide, 2' deep



Stadium Solutions



Location: University of Utah
Description: 2' tall, 10' wide, 2' deep



Location: Petco Park
Description: 1' tall, 3' wide, 10" deep

Stadium Solutions Continued...



Location: University of Oregon
Description: 1'-3" tall, 3'-6" wide, 2' deep

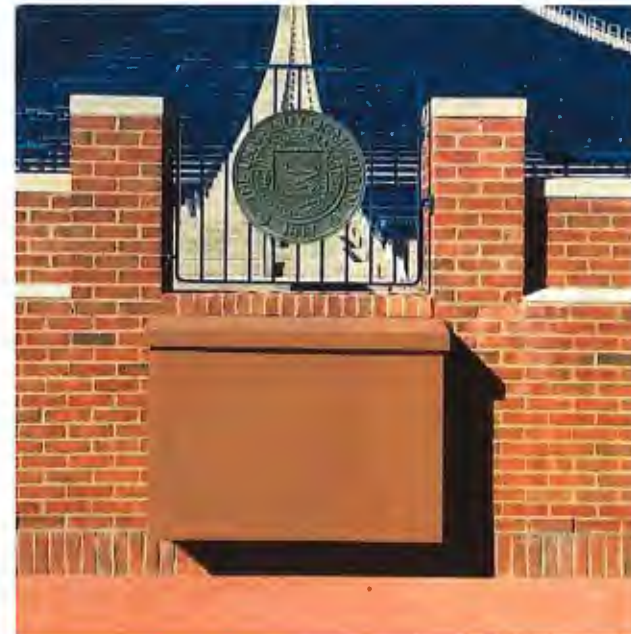


Location: Indiana University, Bloomington, IN
Description: Upper Boxes & Lower Vomitory Section Markers
Dimensions: Upper 5' tall, 2'-4" wide, 2'-4" deep. Lower - 2'-4" tall, 8'6" wide, 1'-9" deep

Stadium Solutions Continued...

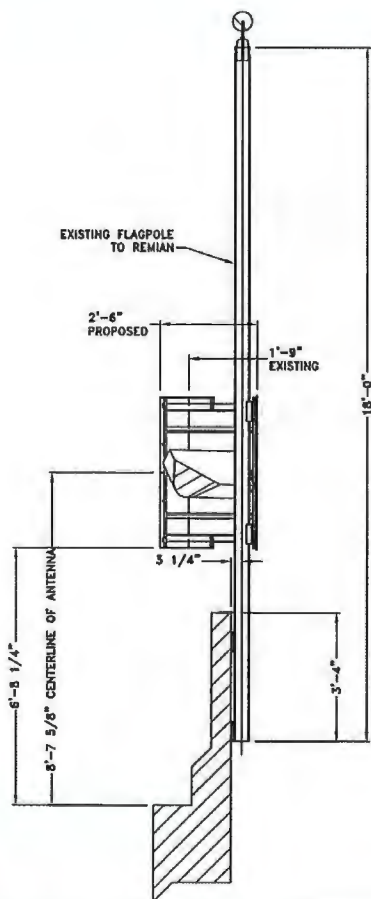


Location: University of Oklahoma
Description: 15' tall, 2' wide, 2' deep

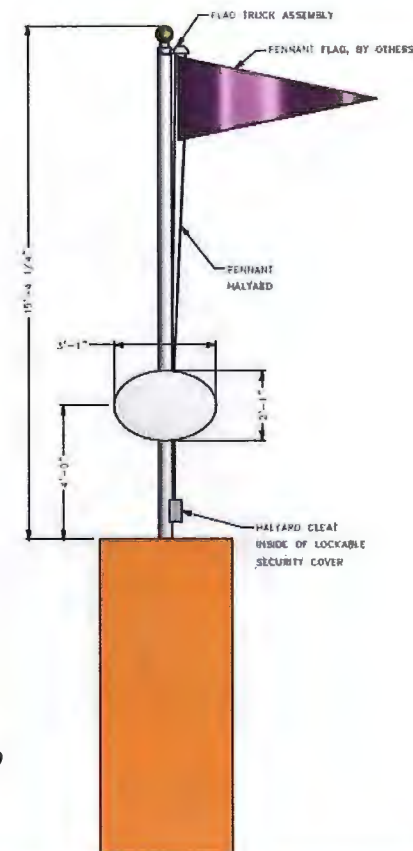


Location: University of Michigan
Description: 4' tall, 4' wide, 8" deep

Stadium Solutions Continued...



Location: Clemson University
Description: 2'-6" tall, 4' wide, 3' deep



Location: University of Florida
Description: 2' tall, 3' wide, 2' deep

Small Cell Solutions

- Great for historic districts!
- Designs can be ballasted, or roof-attached.



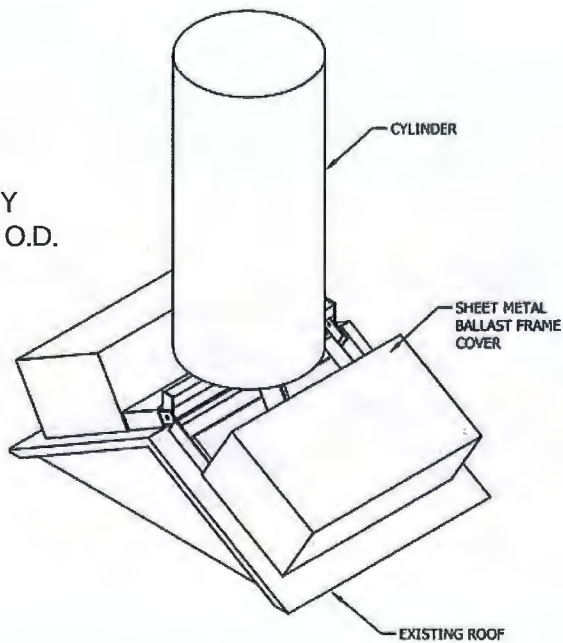
Location: Frederick, MD
Description: 3' tall, 2' wide, 4' deep



Location: Flemington, NJ
Description: 6'-6" tall, 18" O.D.

Small Cell Solutions Continued...

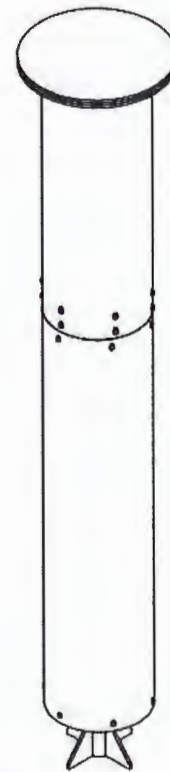
Location: Rochester, NY
Description: 7' tall, 32" O.D.



Location: Eldersburg, MD
Description: 6' tall, 3' wide.

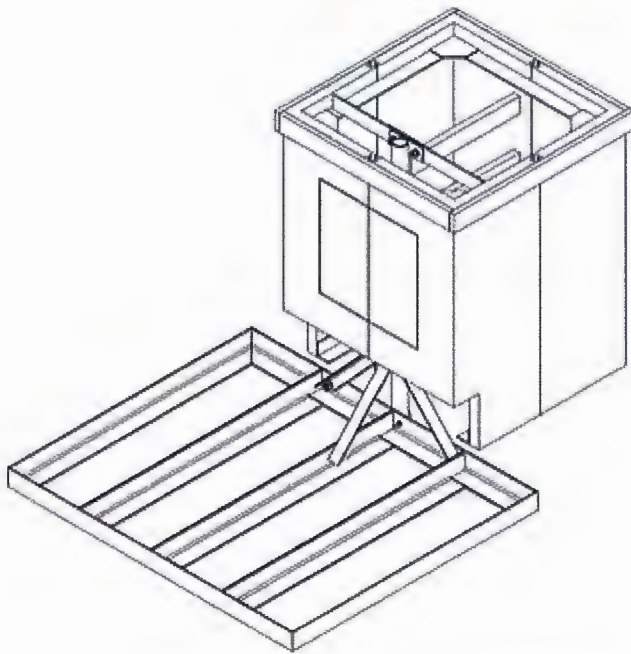
Small Cell Solutions Continued...

Location: Baltimore, MD
Description: 2'-6" tall, 2' wide, 4' deep



Location: West Hartford, CT
Description: 11' tall, 30" O.D.

Small Cell Solutions Continued...

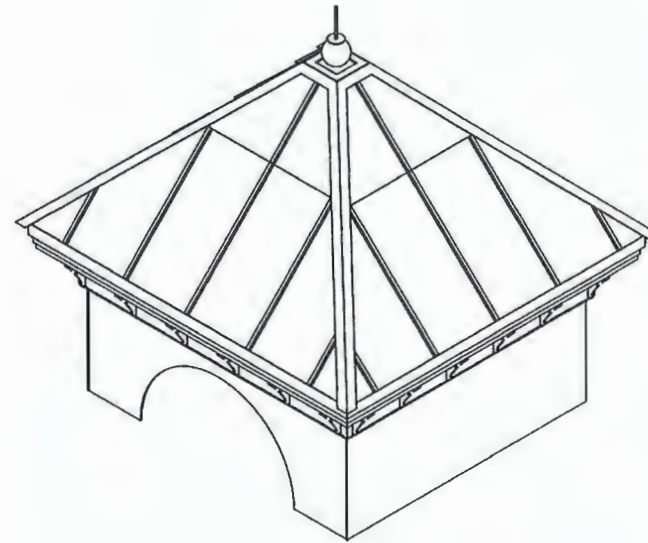


Location: Montvale, NJ
Description: 5' tall, 4' wide, 4' deep
*Ballasted Design

Small Cell Solutions Continued...



Location: Baltimore, MD
Description: 3' tall, 3' wide, 3' deep



Location: San Antonio, TX
Description: 6'-6" tall, 10' wide, 10' deep



Contact Information

For additional information regarding our concealment solutions, please contact:

STEALTH® Concealment Solutions, Inc.

3034-A Ashley Phosphate Road
North Charleston, SC 29418

Cindy Wishart

800.755.0689 ext. 124

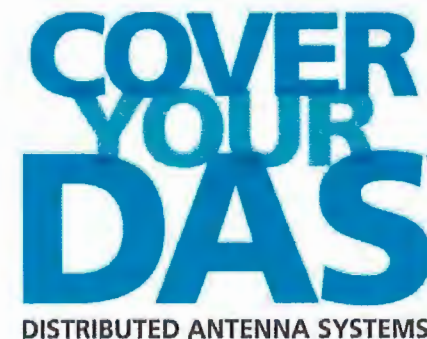
cindywishart@stealthsite.com

Megan Rehm

800.755.0689 ext. 118

meganrehm@stealthsite.com

coveryourdas.com





Landmark Commission **City Building**

222 Meigs Street
Sandusky, Ohio 44870

February 1st, 2017
1ST FLOOR CONFERENCE ROOM
4:30 P.M.

AGENDA

1. Review of minutes from September 28th, 2016
2. Landmarks application for local landmark designation of the Whitworth Building, 232-236 Columbus Avenue.

Landmarks Commission
September 28, 2016
Minutes

Vice Chairman McGory appointed Mr. Zuilhof to call the Landmarks Commission meeting to order at 6:00 PM. The following members were present: Mr. Ned Bromm, Mr. Jim Jackson, Mr. Pete McGory, Mr. David Miller, Commissioner Wes Poole, Mr. Mike Zuilhof, Ms. Casey Sparks and Ms. Angela Byington representing the Planning Department, Mr. Trevor Hayberger representing the Law Department and Debi Eversole, Clerk from Community Development. Chairman John Mears was absent.

Mr. McGory moved to approve both sets of minutes submitted from the June 29, 2016 and July 27, 2016 as presented. Mr. Poole seconded the motion. The motion passed, all in favor.

Ms. Sparks notified the Commission members that the application for Certificate of Appropriateness for demolition of **417 Columbus Avenue** was requested to be postponed to a future meeting by a representative of the applicant at 4:00 PM this afternoon.

With no further business, Mr. Poole moved to adjourn the meeting. The Landmarks Commission meeting was adjourned at 6:05 PM.

APPROVED:

Debi Eversole, Clerk

John Mears, Chairman

CITY OF SANDUSKY, OHIO
DEPARTMENT OF DEVELOPMENT
DIVISION OF PLANNING

LANDMARK COMMISSION
REPORT

APPLICATION FOR LANDMARK
DESIGNATION FOR THE WHITWORTH
BUILDING

Reference Number: LC-01-17

Date of Report: January 9th, 2017

Report Author: Casey Sparks, Assistant Planner

DIVISION OF PLANNING COMMENTS

The applicant has presented an application for local landmark designation for the property located at 234-236 Columbus Ave. Section 1161.06 specifies the criteria for designation of a landmark building. The building must be at least 50 years old and must also fall into one of the following categories:

- A. It is in the location of, or is associated in a significant way with, a historic event with a significant effect upon the community, city, state, or nation; or
- B. It is associated in a significant way with the life of a person important in the history of the city, state, or nation; or
- C. It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; or
- D. It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; or
- E. It is an outstanding work of a designer or builder; or
- F. Because of its prominence of spatial location, contrasts of siting, age, or scale it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City.

The applicant has provided a very detailed report indicating the history of the building and the original founders of the building. John Whitworth had a great impact on the City of Sandusky. Mr. Whitworth began his career at the Wagner Grocery Company, he then became a senior member of Whitworth and Free, however one of his more important impacts to the City was his work at American Crayon Company where he was one of the executive heads of the company. John Whitworth's impacts to the business community also included being a vice president of the Old National Bank of Sandusky, a director of the Sandusky Telephone Company, and an active member of the Chamber of Commerce. Within Volume 3 of the History of the Western Reserve, it was noted that "In the death of John Whitworth, Sandusky lost one of its oldest, best known and most valued citizens. Many business enterprises here owe their excellence and progress largely to his influence and what he did for his fellow citizens and for Sandusky in his far-reaching influence cannot be told."

The Whitworth building is currently occupied by one tenant on the first floor. The original first floor occupants within the building was Dietz & Mischler which was a Cigar Manufacturing shop. The other long term tenant at this location was Bauman & Sons who sold wall paper, paints, oils, and glass. The Dietz, Mischler, and Bauman families were all residence of Sandusky as well. Throughout history there were several other tenants within this building including attorneys, insurance companies, and loan offices. In the 1920's the Kugel brothers acquired the ownership of the Whitworth building with plans to place their general dry goods store.

The business and the founders are significant to the community but an additionally important aspect for consideration is maintaining the historic integrity of the east side of Columbus Avenue. As the applicant indicated in the application, the contemporary design and construction of the County building and parking garage consumed the entire block fronting Columbus Avenue, therefore the historic integrity of the west side of Columbus Avenue within its first block is lost. By retaining the Kingsbury building, the Commercial Banking & Trust Co., and the Whitworth building the east side of Columbus Avenue would be preserved.

CONCLUSION/RECOMMENDATION

Staff believes that the existing building is an important piece of the City of Sandusky's history. Staff believes that the building meets the criteria for historic designation as a Local Landmark, as the building is associated with a significant person in the City of Sandusky's history and the buildings location contributes to the historic aspect of the neighborhood. Staff would recommend the Landmark Commission approve the Local Landmark designation for the Whitworth building at 234-236 Columbus Ave.



Planning Commission

City Building

City of Sandusky, Ohio 44870

**February 1st, 2017
1ST FLOOR CONFERENCE ROOM
4:30 P.M.**

AGENDA

SPECIAL WORK SESSION TO REVIEW THE FOLLOWING:

1. Discussion for Ordinance Amendments to Section 1129.06
2. Discussion for Ordinance Regarding Chickens

NEXT MEETING: February 22, 2017

**Please notify staff at least 2 days in advance of the meeting if you cannot attend.
Thank you.**

CITY OF SANDUSKY, OHIO
DEPARTMENT OF DEVELOPMENT
DIVISION OF PLANNING

PLANNING COMMISSION REPORT

DISCUSSION FOR
ORDINANCE AMENDMENTS TO SECTIONS
1129.06

Date of Report: January 18, 2017

Report Author: Casey Sparks, Assistant Planner



City of Sandusky, Ohio

Planning Commission Report

BACKGROUND INFORMATION

Late last year Planning Commission recommended approval for a zoning amendment to Section 1129.06 of the City of Sandusky Planning & Zoning Code. The proposed change was recommended from staff as a result of concerns for residents in regard to the cost associated with paving. The proposed changes were an attempt to incentivize owners to come into compliance and promote locating vehicles in the rear yard. These changes included permitting residents to park recreational vehicles within the rear yard on a gravel surface in lieu of a paved surface, with approval by Planning Staff. City Commission reviewed the amendment, received comments from the public regarding the proposed changes, and proceeded to table the proposed recommendations with a request that the amendment go back to Planning Commission for review. City Commission has asked that Planning Commission and staff work with the public to receive their input on this subject and propose a comprehensive amendment to the zoning ordinance that is more restrictive on the issue of parking of recreational vehicles.

Staff has spoken to several residents regarding this topic and it appears that there are thoughts on both sides of the issue. Planning Staff would like to begin an open discussion with the Commission and residents regarding proposed changes to this ordinance. Below are some of the topics that have been discussed, from both sides, either at City Commission meetings or through discussions with residents. At the February 1st meeting, we will analyze these issues to help determine what will need to be included in the proposed legislation.

DESCRIPTION

Number of Recreational Vehicles: There have been several comments regarding the number of recreational vehicles that should be permitted on a residential property. Some of the suggestions included a maximum of two recreational vehicles in addition to a maximum percentage of lot coverage. The current zoning code states that accessory structures shall not occupy more than 30% of the rear yard, a possible option considered by planning staff includes counting recreational vehicles as an accessory structure. If the Commission considers including recreational vehicles as an accessory structure, planning staff would also recommend creating an amendment to limit the number of accessory structures on the property. If these amendments were implemented, a resident would be permitted to store a recreational vehicle and construct a shed for storage in the rear yard, assuming it does not exceed 30% of the rear yard. This would also mean that the same resident would not be permitted to construct a pool or another shed on the property without a variance. **Staff is recommending that the Commission discuss the option of considering recreational vehicles as an accessory structure and limiting the number of accessory structures on the property.**

Parking of Recreational Vehicles within the Side Yard: Staff and City Commission have received several comments regarding this topic. Some residents have expressed the parking of recreational vehicles should not be permitted within the side yard. Other residents have stated that the parking of recreational vehicles has always been permitted within the side yard and should continue. Some residents that live on larger lots have stated that if the storage area is paved and the recreational vehicle is placed behind the front plane of the structure there is minimal impact to the surrounding properties. Planning staff has also been asked to review the required distance from the side property line, Section 1129.06 requires recreational vehicles to be placed a minimum of three feet from the property line. Screening within the side yard is another option considered by staff, however understanding that the maximum height of a fence permitted within the side yard is 4' landscaping will probably be the only sufficient screening for this area. **Staff is requesting the Commission discuss if parking of a recreational vehicle should be permitted within the side yard. If permitted, is the required minimum setback of three feet from the property line sufficient or should this distance be increased, and should screening be required.**

Ownership: City Commission received comments regarding only permitting recreational vehicles that are registered to the owner or occupants of the property. This would avoid residential properties from becoming a commercial storage area. **Staff is requesting the Commission discuss if the amendment should include a requirement that the recreational vehicle be registered to only the occupant or property owner.**

Setback Requirements: Similar to the comments regarding the setbacks for storing recreational vehicles within the side yard, staff has received comments regarding the setback within the rear yard and if screening requirements are necessary. Throughout the City the lots vary in size and dimension, a recreational vehicle stored on a lot in Cold Creek has a different impact than a recreational vehicle stored on First Street. **Staff is requesting the Commission discuss if screening and setback requirements exceeding three feet from the rear lot line would be necessary.**

Gravel vs. Pavement: This topic was the initial change within the zoning amendment. There were several concerns with allowing gravel within the rear yard instead of pavement. As the Commission is aware, this solution was proposed as a possible alternative to allow residents a more cost effective option for storage within the rear of the property. **Although the Commission has already recommended approval of a gravel surface, staff would request that the Commission discuss this option again.** There has been concern voiced that gravel will allow weeds and become a nuisance. The Commission may consider if this alternative solution would be permitted in conjunction with some of the other proposed changes.

CITY OF SANDUSKY, OHIO
DEPARTMENT OF DEVELOPMENT
DIVISION OF PLANNING

PLANNING COMMISSION REPORT

DISCUSSION FOR ORDINANCE REGARDING CHICKENS

Date of Report: January 18, 2017

Report Author: Casey Sparks, Assistant Planner



City of Sandusky, Ohio

Planning Commission Report

BACKGROUND INFORMATION

Last year Planning Commission began the discussion of creating regulations for chickens. At that time the Commission considered amending Chapter 1129.06 to include this as an accessory use within certain residential zoning districts. Staff would like to reintroduce this topic with Planning Commission to determine what regulations are appropriate for an ordinance regarding chickens. Below are several topics on this particular issue that staff would like to discuss with the Commission and residents.

DESCRIPTION

Prohibiting Roosters: From the previous discussions with Planning Commission and comments that we have received from the public there appears to be a consensus that roosters should be prohibited. Many of the complaints that staff has received regarding chickens are a result of the noise generated from a rooster. Planning staff would also recommend prohibiting male chickens or any other poultry or fowl not permitted within the proposed animal classifications. Staff would recommend that Planning Commission not restrict any breed of chickens.

Definitions: The current definition of animal within the zoning code is very broad, staff had previously suggested further defining animals by including the following definitions:

Animal, Livestock: llamas, alpacas, cattle, swine, chickens, etc

Animal, Exotic: Non-human primates, poisonous reptiles, alligators, crocodiles, snakes over six feet in length, etc.

Animal Domestic: Cats, dogs, rabbits, etc.

By further defining animal we could permit or prohibit different classifications outright or as an accessory use within different zoning districts. Staff would suggest allowing domestic animals within all districts, and livestock animals within residential districts as an accessory use but only approved through the Conditional Use process. Livestock animals would be permitted within the agricultural zoning district. Staff would recommend all exotic animals would be prohibited throughout the city. Through the Conditional Use permit process, Planning Commission would have the opportunity to place conditions on the property, if necessary, that would assure that there would not be a negative impact to the surrounding property owners.

Chicken Coop: A structure for the sheltering of chickens

Chicken Pen: An enclosure that is connected to and/ or surrounding a chicken coop for the purposes of allowing chickens to leave the coop while remaining in an enclosed predator- safe environment.

The last time Planning Commission met regarding this topic the Commission suggested having a specific definition for chickens. Planning Staff believes that creating these broader definitions will assist the city in the future to address more issues than just chickens.

Number of Chickens Permitted: At the last meeting Planning Commission stated that the number of chickens permitted should be associated with the density within the surrounding neighborhood. Staff would like to have a discussion with the Commission as to what they believe is appropriate for different areas.

Smaller than .5 acre- maximum of two permitted

.5 acres to less than 1.0 acres- maximum of four permitted

1.0 acres to less than 5 acres- maximum of eight permitted

In staff's research on the subject it appears that three hens will provide a family of four with adequate eggs. When researching other regulations regarding chickens within Ohio the regulations vary with some allowing a maximum of six and others not regulating the number of chickens.

Prohibiting Chickens with Multi- Family Residential Zoning Districts: Staff would suggest that chickens are prohibited within any multi- family zoning district, as these areas are traditionally higher in density, but permitted with approval of a Conditional Use permit within all other residential zoning districts.

Architectural Designs & Size Requirements for Chicken Coops and Chicken Pen: The size and appearance of the chicken coop can be an impact to the surrounding property owners, Staff would like to discuss with Planning Commission the possibility of regulating the size to no more than 24 square feet. Through staff's research it was found that the coop needs to be at least 3 square foot per chicken, understanding the maximum number of chickens permitted would be eight square feet, the coop would not need to exceed 24 square feet. Staff would also like the Commission to consider requiring the coop to be adhere to certain architectural standards such as building materials and construction standards. Approved building materials could include wood, vinyl, or composite wood material. Staff would suggest the Commission also consider requiring the coop have a minimum of one window per 15 square feet of floor area to allow for adequate ventilation. Staff would also recommend that the maximum height of the coop be no larger than 6'.

In regards to a chicken pen, staff's research has found that each chicken needs a minimum run area of 15 square foot. Staff would suggest that the maximum area for the pen area is to be 200 square feet. If a resident is permitted to have eight chickens based on the size of the property this would allow a maximum of 25 square feet per chicken. Attached to the report are some examples of different styles for coops and pens that staff believes would be appropriate.





If considered an accessory structure, the coop and pen could not occupy more than 30% of the rear yard. It is important to note that the maximum lot coverage of 30% includes all accessory structures, including, sheds, detached garages, etc. Even in some of the City's smaller lots a structure that encompasses both the coop and the pen that is 224 square feet would not occupy a large portion of the rear yard. Below are some examples of how different sized lots with a coop and pens of 224 square feet would appear on different lot sizes. Please note that the highlighted areas are representative of the 10' setback and the coop/pen represents a 250 square foot structure.



Third Street



Cold creek Boulevard



42nd Street

Distance from Property Line & Screening: Accessory structures generally are required to be 3' from the side and rear property line, however understanding that this accessory structure could have a greater impact staff would recommend a minimum of 10' from both side and rear property lines. Staff would also recommend that a fence or landscaped screening be required from adjacent properties, if located in the rear yard the screening shall be 6' in height.

Raising for Personal Use: Staff would recommend that the proposed legislation only permit the raising of chickens for personal use, no commercial selling of the eggs or chickens.

Nuisance Standards: Research and articles studied on the subject have stated that if not taken care of, chickens and the coop can have an odor. To assist in alleviating this issue, Staff would recommend all feed be required to be in a sealed container and manure from chickens must be disposed of in an enclosed backyard composter. Although most of the noise is created from roosters, chickens can make noise when they are laying their eggs, if this became an issue for a surrounding property owner the noise ordinance Section 519.10 E could be implemented if we changed the section to reference chickens.

Coop Requirements

42nd Street Example: 6108 SqFt (0.1402 Acres)



Map by: Tiffany Taylor GIS Analyst COS Map Created /25/2017
Parcel Map from Erie County Auditor
Geographic Coordinate System: NAD 1983

This map is meant to illustrate the proposed requirements and limitations for chicken coops within the City of Sandusky.

Coop Requirements

Cold Creek Example: 11999 SqFt (0.2754 Acres)



Map by: Tiffany Taylor GIS Analyst COS Map Created /25/2017
Parcel Map from Erie County Auditor
Geographic Coordinate System: NAD 1983

This map is meant to illustrate the proposed requirements and limitations for chicken coops within the City of Sandusky.

Coop Requirements

Third Street Example: 6580 SqFt (0.1510 Acres)



Map by: Tiffany Taylor GIS Analyst COS Map Created 1/25/2017
Parcel Map from Erie County Auditor
Geographic Coordinate System: NAD 1983

This map is meant to illustrate the proposed requirements and limitations for chicken coops within the City of Sandusky.